

ORANGE COUNCIL HIRES LAWYER TO HALT LAYOFFS

BY WALTER ELLIOTT

ORANGE : They attorney who the city council hired Jan. 4 may have halted Mayor Eldridge Hawkins, Jr. Administration's intended Jan. 7 52 municipal layoffs by the time you read this.

The council, in a "walk-on" resolution, approved hiring East Orange attorney Rashidah Hasan for the immediate purpose of halting the layoffs through an injunction in New Jersey Superior Court in Newark. At-Large Councilwoman and resolution sponsor Donna Williams explained that Hasan is to also take the Hawkins Administration to court over the absence of a 2010-11 municipal budget.

Williams joined her six colleagues present and several public speakers in voicing their frustration in not having a Fiscal Year 2011 budget in place. She and others stated that they have not received a preliminary or proposed budget from the mayor. As a result, they do not have budget figures to determine whether the administration's 76 layoffs or demotions on Jan. 7 are warranted.

South Ward Councilman Edward Marable, Jr. likened the lack of data from the mayor and/or particular department heads to being in the deepest berth room of a cruise ship with the lights out and door closed.

"There were no windows to look out of or for light," said Marable. "When I turned off the light, it was so black inside that I couldn't see my own hand before me or if someone else is in the room. It's a dangerous situation to be in."

Orange's elders cited the lack of data for missing a state aid application deadline and for operating on monthly temporary or emergency budgets. They complained that their newly hired budget consultant, Dieter Lerch, has literally nothing to do.

Mayor Hawkins and Business Administrator John Mason, in previous recent interviews and public meetings, have maintained that budget negotiations with the police and fireman's benevolent associations, the police superior association and the Orange Municipal Employees Bargaining Association

need to be completed before they can introduce a budget.

Mason, after the meeting, said that there have been bargaining sessions with at least one of the unions Jan. 3-4 and a session scheduled for Jan. 5.

Hawkins was absent of the council gallery during the Jan. 4 council meetings. The mayor's chief of staff, however, was said to be present elsewhere on City hall's fourth floor.

Williams' "walk on" resolution had several controversial points right from its 11th hour nature.

Roberts Rules of Order allows for "walk on" bills, also called "late starters" or "yellow tag items," to be considered as amendments to the already published agenda. The meeting chairperson or present, however, would have to ask the governing body to suspend the meeting rules to consider the add-on.

Abdul-Rasheed asked for the council's consideration, to which all but the absent East Ward Councilwoman Linda Jones-Bell consented. Marable then asked about where Hasan's salary will be funded from.

"My problem with this resolution is that there's no certificate of funding," said Marable. "How are we going to pay the attorney?"

"This is not the first time where a resolution we voted on didn't come with a funding certificate attached," said North Ward Councilwoman Tency Eason. "Given the particular circumstances, why should we not vote on the resolution now?"

Councilman Morton meanwhile reminded layoff-pending employees that he has set a job fair for them 3 p.m. Jan. 5 past Local Talk deadline.

Council members Eason and Williams plus at-large colleagues Elroy Corbitt and Rayfield Morton approved Hasan's hiring. Abdul-Rasheed and Marable abstained for a 4-2 vote.

Orange's elders also received four other alternative budget plans or proposals from among themselves. St. Matthew AME Pastor Reginald T. Jackson, labor attorney David Fox and unofficial city historian Karen Wells Jan. 4.

The six city council members

present, however, could only read their and former councilman William Lewis' Dec. 21 submitted plan. The first four were received by the council as a whole too late for a vote - if they can legally consider any plan coming from other than the Hawkins Administration.

They are hoping to have until at least Jan. 18 to digest the five proposals. They are counting on newly-hired attorney Hasan to stop the city's 76 layoffs and demotions with a court injunction before 12:01 a.m. Jan. 7.

Corbitt, Eason and Morton presented their alternative budget before their colleagues after what Corbitt said was consultation with department heads and "bankers and accountants in the city."

"We need to get the process going," said Corbitt. "Too many times, we have had to work on a budget that has been introduced late in the fiscal year. This plan would keep most, if not all, of our police, fire and public works employees. We need to get on with the public hearings, input from the Citizens Budget Advisory Committee and the budget consultant."

Local Talk was unable to obtain a copy by press time. CBAC panelist and former president Bruce Meyer, however, provided some details in his public comments.

"I received a copy of the three council members' proposed budget," said Meyer in his personal appraisal. "It would save the 52 employees and keep from demoting another 24."

"The employees and programs of the recreation department would be eliminated," added Meyer. "The staff and programs of the department of community affairs would be gone. The programs and workers for senior services would be eliminated."

Hassan had granted Morton, Eason and Corbitt to give a brief five minute overview during their conference session. Marable asked why was the Council Budget Committee was not consulted beforehand.

"I didn't know about my colleagues' proposal until it was handed to me today," said Marable. "I wish that someone had written or e-mailed me about this earlier."

Eason and Marable then had a brief

point-counterpoint on whether, when and how they had received word of the alternative plan until Abdul-Rasheed called time on that dialogue.

City Attorney Marvin T. Breaker then said that the council's alternate proposal may be dead-on-arrival due to how the state statutes describe budgetary procedure.

"The Legal Research Officer and I respectfully disagree on this matter," said Breaker. "While I have no factual problem with the proposal, I've a legal procedural problem. The NJSA statutes said that it's the administration that has to introduce a proposed budget."

Rev. Jackson meanwhile made good on his Dec. 14 promise to present an alternative budget with a two-page proposal on AME letterhead. The copies, as furnished Jan. 4, calls for:

* All elected leaders and employees take a 10 percent pay cut, subject to restoration when the economy improves.

* Taxpayers are to receive a two percent deduction on their property taxes in line with Gov. Christopher Christie's two percent tax increase cap.

* Make budget cuts through retirements and from among the departments.

Fox, of the family Fox and Fox legal firm, meanwhile briefed the council on their proposal to make budget cuts while retaining public safety officers. The FMBA Local 10 representative said the cuts can come though reducing or eliminating uniform allowances and some sick, vacation and leave time.

"I've also been involved in negotiations of fire and police in Newark, Kearny and Hillside - towns that have problems not unlike yours," said Fox. "In Kearny and Hillside, we were able to save all of their public safety officers and most of them in Newark."

Wells, in her public remarks said that she and several concerned citizens came up with some public safety job-saving economics. While she had not furnished hardcopies beyond the council, she said that details are to be found on crgorangenj.com/currentinitiatives.